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8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA
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11 GARY CULL, *et al.*,

12 Plaintiffs,

13 v.

14 O'REILLY AUTO ENTERPRISES,
15 LLC, *et al.*,

16 Defendants.
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Case No. 5:23-cv-01623-FLA (MARx)

**ORDER DISMISSING ACTION
[DKT. 32]**


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19 On April 29, 2024, Plaintiffs Gary Cull, Melissa Kolakowski, and Daniel Lopez
20 (collectively, "Plaintiffs") and Defendant O'Reilly Auto Enterprises, LLC
21 ("Defendant") filed a Notice of Settlement of Class Action ("Notice of Settlement").
22 Dkt. 32. The parties state they have reached a class-wide settlement that will resolve
23 all disputes between the parties once approved, and anticipate seeking preliminary
24 approval of the class action settlement within approximately 90 days in the action
25 styled *Pipich v. O'Reilly Auto Enterprises, LLC*, Case No. 3:21-cv-01120-AHG, in the
26 Southern District of California. Dkt. 32 at 3. Accordingly, the parties request the
27 court vacate all pretrial and trial dates and deadlines and stay the action pending the
28 approval of the class action settlement. *Id.*

1 Having considered the Notice of Settlement and finding good cause therefor,
2 the court hereby ORDERS:

- 3 1. All deadlines governing this action are VACATED.
- 4 2. The court DISMISSES the action without prejudice. The court retains
5 jurisdiction to vacate this Order and reopen the action within 180 days
6 from the date of this Order, provided any request by a party to do so shall
7 make a showing of good cause as to why the settlement has not been
8 completed within the 180-day period, what further settlement processes
9 are necessary, and when the party making such a request reasonably
10 expects the process to be concluded.
- 11 3. This Order does not preclude the filing of a stipulation of dismissal with
12 prejudice pursuant to Fed. R. Civ. P. 41, which does not require approval
13 of the court. Such stipulation shall be filed within the aforementioned
14 180-day period, or by such later date ordered by the court pursuant to a
15 stipulation by the parties that conforms to the requirements of a showing
16 of good cause stated above.

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18 IT IS SO ORDERED.

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20 Dated: May 2, 2024

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22 FERNANDO L. AENLLE-ROCHA
23 United States District Judge
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